



## City of Seattle

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Department of Planning and Development  
D. M. Sugimura, Director

### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Application Number:** 3010915  
**Applicant Name:** Loren Landerholm  
**Address of Proposal:** 2508 Walnut Avenue Southwest

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are 1,807 square feet and 9,413 square feet. Existing structures to remain.

The following approvals are required:

**Short Subdivision** – to subdivide one existing parcels of land into two parcels of land.  
(Seattle Municipal Code Chapter 23.24)

**SEPA** – Environmental Determination – Review of development proposal in areas mapped as Environmentally Critical Areas. (Seattle Municipal Code Chapter 25.09)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition,  
or involving another agency with jurisdiction.

#### **BACKGROUND DATA**

Zoning: Single Family (SF 5000)

Uses on Site: Two single family residences

Substantive Site Characteristics:

The single lot totals approximately 11,220 sq. ft. The slightly irregular shaped site fronts onto Walnut Ave SW and the unimproved Fairmount Ave SW. Two single family houses occupy the

lot. The steeply sloped site descends roughly 100 feet from Walnut St to Fairmount Ave. The property has two mapped environmentally critical areas consisting of steep slope and potential slide area. In addition, the area has been designated as having had known slides.

The site is zoned Single Family residential with a minimum lot area requirement of 5,000 square feet (SF 5000). The SF 5000 zone surrounds the site and extends north and eastward. Two parcels to the south the zoning changes to Lowrise Two (LR 2) To the west of 41<sup>st</sup> Ave SW, the zoning transitions to Neighborhood Commercial Two with 30 and 40 feet height limits (NC2 30 and NC2 40). SW Admiral Way lies two parcels to the south. Surrounding development reflects the zoning insofar as most properties in the vicinity are developed with single family structures of varying age and architectural style.

The site lies within a mapped steep slope designated environmentally critical area (ECA) pursuant to Seattle Municipal Code Chapter 25.09, Regulations for Environmentally Critical Areas. The eastern half possesses a potential slide area, also an ECA. The western edge of the potential slide area cuts through one of two existing houses on the property. The site lies within a larger steep slope and potential slide critical areas that define the hillside for much of the northeastern edge of West Seattle. The site is within the designated Fairmount Creek Basin.

The applicant has delineated a 15 foot steep slope buffer about midway on the property.

Public Comment:

DPD received one letter inquiring about the project.

Comment letters, application documents, and associated materials may be found in the Land Use Application file, which is available for review at DPD's Public Resource Center (PRC), 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

**ANALYSIS - SHORT SUBDIVISION—Multiple single family dwelling units on a single family lot.**

Pursuant to SMC 23.24.046, the following code criteria will determine if a lot with multiple dwelling units can be short platted.

- A. *The provisions of this section apply exclusively to the short subdivision of a lot in a single-family zone containing more than one (1) existing single-family dwelling unit.*

Currently there are two residential structures on the lot, each permitted to be a single family residence.

- B. *A lot in a single-family zone containing more than one (1) existing single-family dwelling unit may be divided in accordance with this chapter as long as each of the following conditions is satisfied:*

1. *Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a nonconforming development in accordance with Section 23.42.102, Establishing nonconforming status;*

The houses were constructed approximately in 1912 and 1918 per King County tax records. The house at 2508 Walnut is currently being remodeled.

2. *Each existing single-family dwelling unit was constructed prior to February 20, 1982*

The structures containing the dwelling units were constructed prior to February 20, 1982.

3. *Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit;*

The proposal is for only one single family dwelling unit on each lot.

4. *Parking is provided in accordance with Section 23.44.016, Parking location and access, unless the Director determines that at least one (1) of the following conditions is present:*
  - a. *Providing parking accessory to an existing single-family dwelling unit is undesirable or impractical because of the location of an environmentally critical area, existing drainage patterns, natural features such as significant trees, or access to a resulting or adjacent lot; or*
  - b. *The short subdivision cannot be configured to provide parking in compliance with Section 23.44.016; If the Director determines that at least one (1) of the foregoing conditions is present, the Director may waive or modify the parking requirements of Section 23.44.016 as long as the short subdivision does not reduce the number of off-street parking spaces existing prior to the short subdivision. In connection with such waiver or modification, the Director may require access and parking easements as conditions of approval of the short subdivision; and*

The site is configured to add a second parking space so that each lot will have one parking space.

5. *Each resulting lot conforms to all other development standards of the zone unless the Director determines that the short subdivision cannot be approved if such standards are strictly applied and modification or waiver of some or all of such standards would further the public interest. If the Director makes such determination, then the Director may waive or modify development standards, provided that:*
  - a. *Each existing single-family dwelling unit shall be set back at least three (3) feet from each common lot line in the short subdivision; and*
  - b. *No resulting lot shall be smaller than one thousand eight hundred (1,800) square feet.*

The proposal meets a. and b. Each proposed lot cannot meet the single-family development standards in that the existing buildings do not anticipate the current development standard requirements. The City of Seattle provides opportunities for various housing types and ownership configurations. Short plats are one such vehicle to provide home ownership. It furthers the public interest to waive any applicable Seattle Municipal Code development standards.

- C. Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section 23.42.112.*

**Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat.**

- 1. Conformance to the applicable Land Use Code provisions;*
- 2. Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
- 3. Adequacy of drainage, water supply, and sanitary sewage disposal;*
- 4. Whether the public use and interests are served by permitting the proposed division of land;*
- 5. Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
- 6. Is designed to maximize the retention of existing trees.*
- 7. Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouse, rowhouse, and cottage housing developments, as permitted in Single-Family, Residential Small Lot, and Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
- 8. Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*
- 9. Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
  - a. If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; an*
  - b. No lot shall be less than ten feet wide for a distance of more than ten feet as measured at any point; and*
  - c. No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
  - d. If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of*

*Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

#### Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), and Seattle City Light and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions.

The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

#### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **GRANTED.**

#### **ANALYSIS – SEPA**

The proposal site contains the following types of *Environmentally Critical Areas*: *steep slope, and new potential slide*, thus environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

SMC 25.05.908 requires that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's *Environmentally Critical Areas (ECA)* regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the *ECA* regulations. This review includes identifying additional mitigation measures needed to protect the *ECA* in order to achieve consistency with SEPA and other applicable environmental laws.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated March 3, 2010. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. As indicated in the checklist, this action will not result in adverse impacts to the environment.

The proposed short plat will divide an existing large lot with extensive *Environmentally Critical Areas* into two lots. The steep slope *ECA* is primarily on the eastern half of the property

covering two-thirds of Parcel B. The 15 foot steep buffer extends generally in the north/south direction and the eastern portion of the existing house on Parcel B sits within the buffer.

Based on the location of all *ECA* areas and the aforementioned geotechnical information, the proposed configuration will divide the lot in such a way that is unlikely to have any adverse impact on the *Environmentally Critical Areas*, therefore no mitigation of this proposal under SEPA is warranted.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

☒ [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

☐ [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

### **CONDITIONS - SEPA**

None required.

### **CONDITIONS - SHORT SUBDIVISION**

None.

Signature: (signature on file) Date: August 22, 2013  
Bruce P. Rips, Senior Land Use Planner  
Department of Planning and Development